

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

*IN RE* MATTER OF THE APPLICATION OF  
BANCO DE LOS TRABAJADORES FOR AN  
ORDER TO TAKE DISCOVERY UNDER 28  
U.S.C. § 1782

Applicant.

Case No. \_\_\_\_\_

**PETITION AND APPLICATION FOR AN ORDER UNDER 28 U.S.C. § 1782 TO TAKE  
DISCOVERY FROM STANDARD CHARTERED BANK INTERNATIONAL  
(AMERICAS) LTD. FOR USE IN FOREIGN PROCEEDINGS**

Based upon the accompanying Memorandum of Law in Support of Petition and Application and the annexed Declaration of Michael A. Fernández, Banco de los Trabajadores (“Bantrab”) petitions and applies to this Court for an order granting Bantrab leave to serve the attached subpoena on Standard Chartered Bank International (Americas) Ltd. (“Standard Chartered”) under 28 U.S.C. § 1782.

The relief Bantrab requests is for the purpose of obtaining limited, but necessary, discovery in aid of two pending proceedings before two Guatemalan courts: (1) the Juzgado de Primera Instancia de Extinción de Dominio (“the Guatemalan Forfeiture Court”) and (2) the Juzgado Séptimo de Primera Instancia Penal, Narcoactividad y Delitos Contra el Ambiente (“the Guatemalan Criminal Court”) (collectively, the “Guatemala Proceedings”). The proceedings arose from an illicit agreement between Hidalgo Socorro and three former Bantrab employees (the self-proclaimed “G3”) that involved purchasing preferred stock in Bantrab. Specifically, the proceeding before the Guatemalan Criminal Court involves accusations of fraud, conspiracy, and unlawful association against Socorro and the G3. The proceeding before the Guatemalan Forfeiture Court involves the source of the \$20 million DHK Finance Inc. (“DHK”), owned by Socorro, used to purchase the preferred stock in Bantrab.

Bantrab seeks documents from Standard Chartered for use in the Guatemala Proceedings because at least \$7.5 million of the \$20 million DHK used to purchase Bantrab’s preferred stock originated from the Standard Chartered account of one of Socorro’s companies. Because those funds were transferred to DHK’s JP Morgan account through Standard Chartered’s New York branch, and Standard Chartered maintains its Americas headquarters in New York, New York, Standard Chartered is found in this District. Additionally, as a party in the Guatemala Proceedings, Bantrab is an interested party under 28 U.S.C. § 1782. Accordingly, Bantrab meets

all the statutory criteria for the issuance of an order allowing discovery under 28 U.S.C. § 1782. Moreover, as set forth in the Memorandum of Law, all discretionary factors that this Court may consider weigh in favor of granting this Petition and Application.

Dated: May 9, 2023

Respectfully submitted,

**RIVERO MESTRE LLP**

By: s/ Jorge A. Mestre

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**CERTIFICATE OF SERVICE**

I certify that on May 9, 2023, I electronically filed this petition and application with the Clerk of the Court using CM/ECF.

s/ Jorge A. Mestre

JORGE A. MESTRE